

Members

Rep. Charlie Brown, Chairperson
Rep. Peggy Welch
Rep. Vaneta Becker
Rep. Timothy Brown
Sen. Gary Dillon
Sen. Patricia Miller
Sen. Allie Craycraft
Sen. Earline Rogers
Dr. Walter J. Daly
Greg Wilson, M.D.
Beverly Richards
Michael Urban, M.D.
Beth Compton



COMMISSION ON EXCELLENCE IN HEALTH CARE

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Authority: P.L.220-2001 (HEA 1845)

MEETING MINUTES¹

Meeting Date: October 21, 2003
Meeting Time: 10:30 A.M.
Meeting Place: State House, 200 W. Washington St., the House Chambers
Meeting City: Indianapolis, Indiana
Meeting Number: 5

Members Present: Rep. Charlie Brown, Chairperson; Rep. Peggy Welch; Rep. Vaneta Becker; Rep. Timothy Brown; Sen. Gary Dillon; Sen. Patricia Miller; Sen. Allie Craycraft; Sen. Earline Rogers; Dr. Walter J. Daly; Greg Wilson, M.D.; Michael Urban, M.D.; Beth Compton.

Members Absent: Beverly Richards.

Representative Charlie Brown (Chairperson) called the meeting to order at 10:40 a.m. The Health Care Professionals Subcommittee distributed a final report. (Exhibit #1) The Long Term Care Subcommittee and the Patient Safety Subcommittee submitted progress reports. (Exhibits #2 & 3). The Chairperson directed the Long Term Care Subcommittee to study the topic of home health care regulation (SR 19-2003) and to report its findings and

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

recommendations during the 2004 interim.

The Chairperson then called for Commission discussion on the proposed legislative drafts.

PD 3307 - Establishes the Stroke Prevention Task Force to develop stroke prevention initiatives.

The Commission discussed whether a task force was necessary or whether the Indiana State Department of Health could provide the same function administratively. It was determined that a task force would provide a coordinated focus and give validity and importance to the task force's recommendations. Several changes were made to the preliminary draft (PD), including removing the per diem language, adding a recreational therapist, adding a sunset provision for the task force, and other changes concerning the qualifications of the members.

PD 3307 was adopted, as amended, by a roll call vote 11-0.

After Commission discussion and input from various interest groups, the Commission decided to not take any action on PDoc 20041459.001, which would have required a school corporation to establish a policy concerning the sale of food and beverage items on school grounds. The draft would also have set minimum standards for the policy.

PDoc 20041458.001 - Requires the Indiana Department of Education (IDOE) to develop: (1) recommendations for school corporation nutritional policies and curricula; and (2) model policies for the measurement of student body mass indexes. Requires school corporations to adopt nutritional integrity policies.

Commission members supported the coordinated approach to this draft. Substantial discussion focused on whether more than 50% of the foods that are sold in a school, that are not part of the school corporation's meal program, should have to qualify as healthy foods. The Commission decided not to make a change in the proposed draft at this time, but members indicated that they were willing to entertain amendments during the General Assembly's next session.

The Commission agreed to allow the Indiana Department of Health to use other measurements of fat compensation than Body Mass Index (BMI).

PDoc 20041458.001, as amended, was adopted by a roll call vote 12-0.

The Commission decided to not take any action on PD 3243, concerning vending machines in schools, since PDoc 20041458.001 had been adopted.

PD 3357 - Requires instruction in physical education (PE) during the school day at least three days a week for public schools.

The Commission, during discussions with representatives of IDOE, determined that the proposed PD would require schools to hire more physical education teachers and would require some school districts to make capital improvements to their facilities to accommodate the extra students taking PE. It was determined that the PD should be amended to require five days of physical activity rather than PE. The Commission

determined that the amended language of PD 3357 should be combined into one piece of legislation with the amended language of PDoc 20041458.001.

PD 3357, as amended, was adopted by a roll call vote 11-1.

The Chairperson then called for testimony concerning smallpox immunizations.

Representative Cindy Noe, District 87

Representative Noe distributed a summary of her testimony and information concerning smallpox immunizations to Commission members. (Exhibit #4). Representative Noe expressed her concerns surrounding the use of smallpox as a bio-terrorist weapon and the accompanying vaccine. Her testimony included the following information:

- The U.S. government has contracted for enough smallpox vaccine for every person in America.
- The smallpox vaccine is acknowledged to be a dangerous vaccine (e.g. vaccinated individuals can accidentally transmit smallpox to others and the person may develop an adverse reaction to the vaccine).
- It is recommended that about 25% of the population avoid the vaccine, including people who are pregnant, have had leukemia, eczema, or an organ transplant, etc. A third of all troops that were to be vaccinated were exempted because of potential medical complications.
- Smallpox is not extremely contagious. The incidence of smallpox was in decline before the Smallpox Eradication Campaign was begun.
- There are other biological and chemical weapons that terrorists can use that are more stable and lethal than smallpox.
- Reports indicate domestic animals could become infected with the vaccine virus. It is unclear what the ramifications would be if the virus jumped species.
- Medical journals have reported a link between cancer and the site where a smallpox vaccine is administered.
- Quarantine laws should be reviewed before they are needed to assure that people are quarantined in the least restrictive setting possible and that families remain together.
- People should be educated on the risks of smallpox ahead of time so that they can make informed choices.

Greg Wilson, M.D., Commissioner, Indiana State Department of Health

Dr. Wilson stated that Indiana has taken a conservative approach toward smallpox vaccinations. There are currently volunteers throughout the state that have been vaccinated. Other volunteers have been trained to administer the vaccine. The vaccine is beneficial up to four days after exposure to smallpox. About four to six thousand people would be needed to vaccinate the entire state population. Smallpox would probably move across the nation at a slow rate.

The Commission noted that the Commission's final report is required at the end of the 2004 interim. The Commission adopted an informational report, as amended to reflect the Commission's last meeting, by a vote of 12-0.

The Chairperson adjourned the meeting at 12:35 p.m.